

New Rules Affect Allopathic and Osteopathic Physicians, Physician's Assistants, Nurse Practitioners, Nurse Midwives, and Pharmacists

New rules, authorizing, but not requiring, allopathic and osteopathic physicians to delegate the prescribing of controlled substances to physician's assistants, nurse practitioners, and nurse midwives, became effective November 17, 1999. The rules were the subject of a public hearing held in January 1999 and reflected input from health practitioners and the public across Michigan.

The new rules are based on 1978 statutory authority contained in the Public Health Code since its inception. However, administrative rules were required to fully implement this authority.

Rules 338.2304/338.2305 (Medicine) and Rules 338.108a/338.108b (Osteopathic) have identical requirements for physicians who elect to delegate the prescribing of controlled substances to the physician's assistants, nurse practitioners, or nurse midwives they supervise.

When delegating Schedule 3 to 5 controlled substances, the rules require a supervising physician to:

- ! Establish a written authorization containing the signatures of both parties
- ! Record limitations or exceptions to the delegation
- ! Document the effective date of the delegation
- ! Record amendments, if any
- ! Review and update the authorization annually

The rules provide that Schedule 2 controlled substances can only be delegated if both the delegating physician and the physician's assistant, nurse practitioner, or nurse midwife are practicing within a hospital, freestanding surgical outpatient facility, or hospice. In this instance, a prescription cannot be issued for more than a 7-day period to a patient who is being discharged.

The rules also prohibit a physician from delegating the prescription of a drug or device individually, in combination, or in succession for a woman known to be pregnant with the intention of causing miscarriage or fetal death.

Special Interest Information for Pharmacists

Since the prescribing is accomplished through delegation from the physician, a separate Michigan Controlled Substance or DEA license is not required. Physician's Assistants, Nurse Practitioners, or Nurse Midwives are not independently tracked through the Official Prescription Program.

Prescriptions are recorded under the individual physician's DEA number.

continued on page 2

To obtain a complete copy of the Medicine or Osteopathic rules:

Telephone Requests: A current copy of the Board of Medicine or Board of Osteopathic Medicine and Surgery rules may be obtained by calling (517) 335-0918. This is an automated voice messaging system. Press 2 at the first prompt, 1 at the second, and 1 at the third prompt. At the end of the announcement, you will be asked to leave an automated message containing your name and mailing address and the specific board rules requested.

Web Site: You may obtain the complete text of the rules through the Internet using the following Bureau of Health Services Web address:

www.cis.state.mi.us/bhser/home.htm

Click on Administrative Rules. This Web site is maintained by the Office of Regulatory Reform and contains all of the administrative rules for the Department of Consumer & Industry Services. Scroll to the Board of Medicine or Board of Osteopathic Medicine and click on General Rules.

Please direct questions to the Licensing Division of the Bureau of Health Services at (517) 373-6873.

Serving Michigan, Serving You



HealthAlert